



GOV. MSG. NO. 1282

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 27, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 27, 2022, the following bill was signed into law:

SB665 SD1 HD2 CD1

RELATING TO VIOLATIONS OF CAMPAIGN
FINANCE LAW.
ACT 181

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 11-410, Hawaii Revised Statutes, is
2 amended by amending subsection (h) to read as follows:

3 "(h) ~~[This section]~~ Subsections (a) through (f) shall not
4 apply to any person who, ~~[prior to]~~ before the commencement of
5 proceedings under this section, has paid or agreed to pay the
6 fines prescribed by sections 11-340 and 11-391(b)."

7 SECTION 2. Section 11-411, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "~~[§]11-411[§]~~ Criminal referral. ~~[In lieu of]~~ In
10 addition to an administrative determination that a violation of
11 this part has been committed, the commission may refer the
12 complaint to the attorney general or county prosecutor at any
13 time ~~[it]~~ the commission believes the respondent may have
14 recklessly, knowingly, or intentionally committed a violation."

15 SECTION 3. Section 11-412, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "~~[§]11-412[§]~~ Criminal prosecution. (a) Any person who
18 recklessly, knowingly, or intentionally violates any provision



1 of this part shall be guilty of a misdemeanor[-], unless another
2 criminal penalty is specified.

3 (b) Any person who knowingly or intentionally falsifies
4 any report required by this part with the intent to circumvent
5 the law or deceive the commission or who violates section 11-352
6 or 11-353 shall be guilty of a class C felony. A person charged
7 with a class C felony shall not be eligible for a deferred
8 acceptance of guilty plea or nolo contendere plea under
9 chapter 853.

10 (c) Any person who intentionally provides false
11 information concerning the name or address of the person paying
12 for an advertisement that is subject to the requirements of
13 section 11-391 shall be guilty of a class C felony.

14 [+e+] (d) A person who is convicted under this section
15 shall be disqualified from holding elective public office for a
16 period of [~~four~~] ten years from the date of conviction.

17 [~~d~~] (e) For purposes of prosecution for violation of
18 this part, the offices of the attorney general and the
19 prosecuting attorney of the respective counties shall be deemed
20 to have concurrent jurisdiction to be exercised as follows:



1 (1) Prosecution shall commence with a written request from
2 the commission ~~[ex]~~, upon the issuance of an order of
3 the court ~~[+]~~, or upon the exercise of the law
4 enforcement authority of the attorney general or
5 prosecuting attorney; provided that prosecution may
6 commence ~~[prior to]~~ before any proceeding initiated by
7 the commission or final determination;

8 (2) In the case of statewide offices, parties, or issues,
9 the attorney general or the prosecuting attorney for
10 the city and county of Honolulu shall prosecute any
11 violation; and

12 (3) In the case of all other offices, parties, or issues,
13 the attorney general or the prosecuting attorney for
14 the respective county shall prosecute any violation.

15 ~~[In]~~ If prosecution is commenced by a written request from
16 the commission, the [commission's choice of] commission, in
17 choosing the prosecuting agency, [it] shall be guided by whether
18 any ~~[conflicting]~~ conflict of interest exists between the agency
19 and its appointive authority.

20 ~~[+e]~~ (f) The court shall give priority to the expeditious
21 processing of prosecutions under this section.



1 [~~(f)~~] (g) Prosecution for violations of this part shall
2 not commence after five years have elapsed from the date of the
3 violation or date of filing of the report covering the period in
4 which the violation occurred, whichever is later.

5 [~~(g)~~ ~~This section shall not apply to any person who, prior~~
6 ~~to the commencement of proceedings under this section, has paid~~
7 ~~or agreed to pay the fines prescribed by sections 11-340 and~~
8 ~~11-391(b).~~] "

9 SECTION 4. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.



S.B. NO. 665
S.D. 1
H.D. 2
C.D. 1

APPROVED this 27th day of June, 2022

A handwritten signature in black ink, reading "David Y. Ige". The signature is fluid and cursive, with a large, sweeping "D" and a stylized "Y".


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 3, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate
of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2022.


President of the Senate


Clerk of the Senate

SB No. 665, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives